

05/09/02 16:28 FAX 817 832 700

COPY

FOLEY HOAG & ELIOT LLP

#12

001



**FOLEY  
HOAG**  
ATTORNEYS AT LAW

FAX RECEIVED

MAY 29 2002

GROUP 1600

Fax

Date: May 9, 2002

To: Katreena

Fax #: 703-746-7020

Confirm#:

Client Matter#: 21390-501

From: Isabelle M. Clauss, Ph.D. Sender's Number: 1177

User #: 3708

Total Pages Sent (Including Cover Sheet): 4

Office: Boston

**Message**

Katreena,

Pursuant to your request are the first three pages of our Amendment filed on February 21, 2002 in USSN 09/690,647 (our docket no. TUV-005.01), which we believe is the one you are referring to as our "March 4" amendment.

Isabelle Clauss

**IMPORTANT - PLEASE READ**

THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

**IF THERE ARE ANY PROBLEMS WITH THIS TRANSMISSION PLEASE TELEPHONE THE SENDER.**

BOSTON / One Post Office Square / Boston, Massachusetts 02108 / TEL: 817.832.1000 / FAX: 817.832.7000  
WASHINGTON, DC / 1747 Pennsylvania Ave., NW / Suite 1200 / Washington, DC 20006 / TEL: 202.223.1200 / FAX: 202.785.6687  
Foley, Hoag & Eliot LLP

[www.foleyhoag.com](http://www.foleyhoag.com)

FAX RECEIVED  
002

MAY 29 2002

GROUP 1600

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Andrew S. Greenberg	Examiner: Schmidt, M.
Serial No.: 09/690,647	Group Art Unit: 1635
Filed: October 17, 2000	Docket No.: TUV-005.01
For: <i>Methods for Treating and Preventing Insulin Resistance and Related Disorders</i>	

Assistant Commissioner for Patents  
 Washington, DC 20231

Certificate of First Class Mailing (37 CFR 1.8(a))	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date set forth below.	
January 21, 2001	By: <u>Jessell Williams</u>
Date of Signature and Mail Deposit	

RESPONSE AND AMENDMENT

Dear Sir:

Applicants submit this Response and Amendment in response to the Office Action dated September 21, 2001. A Petition for a Two Month Extension of Time and appropriate fee are filed concurrently herewith. Please amend the application as follows.

In the claims:

Please cancel claim 2 without prejudice, and replace claims 4-6, 8-10 with the following replacement claims:

1. (Amended) A method for preventing or treating a disease or condition caused, or contributed to, by lipolysis or elevated FFA levels in a subject, comprising administering to the subject a pharmaceutically effective amount of an inhibitor of a [MAPK pathway] ERK1/2, a MEK or a JNK to reduce lipolysis, to thereby prevent or treat the disease or condition in the subject.
4. (Amended) The method of claim 3, wherein the inhibitor decreases the protein level of ERK1/2, a MEK and/or a JNK.